

FILED

APR 19 2022

CITY CLERK

**SPECIAL ORDINANCE FOR REZONING**  
**AMENDED SPECIAL ORDINANCE NO. 9, 2022**

An Ordinance Amending Chapter 10, of the Terre Haute City Code, Zoning and Subdivision Regulations, as adopted by General Ordinance No. 10, 1999, as Amended, entitled An Ordinance Adopting and Enacting a Code of Ordinances for the City of Terre Haute, Indiana; Establishing the Same; Providing for Repeal of Certain Ordinances Not Included Therein, Except As Herein Provided; Providing For The Manner Of Amending Such Code Of Ordinances; Providing a Penalty For Violations Thereof; Providing When This Ordinance Shall Become Effective And Officially Adopting The Terre Haute City Code, And Passing Ordinances Addressing Fees, Fines And Regulations.

BE IT ORDAINED by the Common Council of the City of Terre Haute, Indiana, as follows:

**SECTION I.** That Chapter 10, of the Terre Haute City Code, known and referred to as The Comprehensive Zoning Ordinance of Terre Haute of General Ordinance No. 10, 1999, effective, December 10, 1999, Section 10-121, thereof, District Maps, is hereby amended to read as follows:

Lot Number Twenty-Nine (29) in Upland Place (as made by W.W. Cliver)  
same being a subdivision of part of the South half of the Northeast Quarter of Section  
23, Township 12 North, Range 9 West, as shown in the plat recorded February 10, 1891  
at Plat Record 5, page 58, records of Recorder's Office of Vigo County, Indiana

Commonly known as 20 and 22 Home Avenue, Terre Haute, Vigo County, Indiana  
47803

Parcel No. 84-06-23-252-034.000-002

Be and the same is, hereby established as an R-2 Two Family Residential District, together with all rights and privileges that may inure to said real estate and the owners thereof the law in such cases provided, subject to all limitations and restrictions imposed thereon by deed or otherwise.

That the real estate shall be an R-2 Two Family Residential District as the same is defined in the Comprehensive Zoning Ordinance for the City of Terre Haute, Indiana.

WHEREAS, Amended Special Ordinance No. 9, 2022, has been referred to the Area Planning Commission for its review and consideration and a favorable recommendation has been referred by the Commission to the Common Council; and

**SECTION II.** WHEREAS, an emergency exists for the immediate taking effect of this Ordinance, the same shall be in full force and effect from and after its passage by the Common Council of Terre Haute, and its approval by the Mayor and publications as by law provided.

Presented by Council Member, Cheryl Loudermilk  
Cheryl Loudermilk

Passed in Open Council this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Cheryl Loudermilk-President

ATTEST: \_\_\_\_\_  
Michelle Edwards, City Clerk

Presented by me to the Mayor of the City of Terre Haute this \_\_\_\_\_ day of \_\_\_\_\_ 2022.

\_\_\_\_\_  
Michelle Edwards, City Clerk

Approved by me, the Mayor, this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Duke Bennett, Mayor

ATTEST: \_\_\_\_\_  
Michelle Edwards, City Clerk

This document prepared by:

David P. Friedrich, Wilkinson, Goeller, Modesitt, Wilkinson & Drummy, 333 Ohio Street,  
Terre Haute, IN 47807

I affirm, under the penalties  
for perjury, that I have taken  
responsible care to redact  
each social security number  
in this document, unless required  
by law.

  
David P. Friedrich



**AMENDED PETITION TO REZONE REAL ESTATE**

TO: THE PRESIDENT AND MEMBERS OF THE COMMON COUNCIL OF THE CITY  
OF TERRE HAUTE, INDIANA;

LADIES and GENTLEMEN:

The Petitioner, Highland Property Group, LLC., is the owner of the following described real estate in Vigo County, Indiana, to-wit:

Lot Number Twenty-Nine (29) in Upland Place (as made by W.W. Cliver)  
same being a subdivision of part of the South half of the Northeast Quarter of Section 23,  
Township 12 North, Range 9 West, as shown in the plat recorded February 10, 1891 at  
Plat Record 5, page 58, records of Recorder's Office of Vigo County, Indiana

Commonly known as 20 and 22 Home Avenue, Terre Haute, Vigo County, Indiana  
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Parcel No. 84-06-23-252-034.000-002

The Petitioner is informed and believes that in accordance with Chapter 10 of the Comprehensive Zoning Ordinance for Terre Haute, as amended, the above described real estate is now zoned as C-2, Limited Community Commerce.

Your Petitioner would state the real estate is a residential dwelling. The Petitioner intends to use the real estate as a duplex.

Your Petitioner would respectfully state the real estate herein shall be zoned as a R-2 Two Family Residential District. Your Petitioner would assert the proposed use would not alter the general characteristics of this neighborhood and will include parking and interior setback variances approved by the Terre Haute Board of Zoning Appeals.

Your Petitioner would respectfully show the proposed change would not be detrimental to the public welfare or injurious to the property or improvements in the neighborhood.

Wherefore, the Petitioner respectfully requests that the Area Plan Commission of Vigo County and the Common Council of the City of Terre Haute, Indiana, favorably consider the passage of a Special Ordinance Amending the District Maps of Chapter 10, of the Terre Haute City Code entitled The Comprehensive Zoning Ordinance for Terre Haute, Section 10-121 District Maps and declaring the above-described real estate be zoned R-2 Two Family Residential District of the City of Terre Haute, entitled to the rights and benefits that may accrue to the real estate and the owners thereof by virtue of the new designation subject to all limitations imposed by deed or otherwise.

In witness whereof, this Petition has been duly executed this 16th day of April, 2022.

**PETITIONER:**

By: Thomas O. Smith  
Thomas Smith  
Manager  
Highland Property Group, LLC